

## Montana Transportation Commission

May 8, 2006 – Telephone Meeting

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Note: => indicates follow-up is needed.

The Montana Transportation Commission met via conference call on May 8, 2006. The meeting was called to order by Chairman Kennedy at 10:05 am with the following participants:

Bill Kennedy, Transportation Commission Chair (District 5)  
Nancy Espy, Transportation Commission Vice Chair (District 4)  
Rick Griffith, District 2 Transportation Commissioner  
Kevin Howlett, District 1 Transportation Commissioner  
Jim Lynch, MDT Director  
Jim Currie, MDT Deputy Director  
Tim Reardon, MDT Chief Counsel  
Mark Wissinger, Construction Engineer  
Jim Walther, Preconstruction Engineer  
Ryan Dahlke, MDT District 5 Design Project Manager  
Lorelle Demont, Commission Secretary

### **Agenda item 1: Award projects from April 27, 2006 letting**

Mark Wissinger presented information regarding the bids received for the following projects:

#### **Project 1: West of Busby-West, Busby-East & West & Jct. Sec-418-West**

Project NH 37-1(29)19, NH 37-1(34)22 & STPS 416-1(12)9

Two bids were tendered. There were no errors or omissions in the low bid which was 2.1 percent over our engineers' estimate.

This is the second time that *Jct. Sec-418-W* has been advertised; only one bid was received at the February 23, 2006 letting and it was 104.85 percent over the engineers' estimate. At the commission's March 6 teleconference, staff recommended *not* awarding project STPS 416-1(12)9 *Junction Secondary 418-West*, and rather tie it to another future area project in hopes of receiving lower bid prices.

Staff recommends the tri-project contract be awarded to Riverside Contracting Inc in the amount of \$3,362,963.08.

#### **Project 2: Sidewalks - Great Falls, 3rd St Nw - Gtf & 57th-2nd Ave N/10th Ave S-Gtf**

Project CM 5299(60), NH 101-1(2)0 & NH 102-1(2)8

One bid was tendered. There were no errors or omissions in the low bid which was 4.72 percent over our engineers' estimate.

Staff recommends the contract be awarded to United Materials of Great Falls Inc. in the amount of \$2,282,744.96.

#### **Project 3: Pondera County Line-South & Great Falls-Vaughn**

Project IM 15-7(31)343 & IM 15-5(112)282

Two bids were tendered. There were no errors or omissions in the low bid which was 11.89 percent under our engineers' estimate. These projects were originally tied to the *Sunburst* –

*South & Shelby – North* projects. Because of high bid prices, the projects were shuffled and readvertised.

Staff recommends the contract be awarded to Pavement Maintenance Solutions in the amount of \$1,299,899.92.

**Project 4: 6th St Nw-16th To Smelter-Great Falls** [Project STPU 5201(16)]

Two bids were tendered. There were no errors or omissions in the low bid which was 5.88 percent under our engineers' estimate.

Staff recommends the contract be awarded to United Materials of Great Falls Inc. in the amount of \$1,237,968.62.

**Project 5: 10th St N-Great Falls** [Project NH 104-1(2)1]

One bid was tendered. There were no errors or omissions in the low bid which was 32.33 percent under our engineers' estimate.

Staff recommends the contract be awarded to United Materials of Great Falls Inc. in the amount of \$452,336.60.

**Project 6: Sprinkler-Harrison Intch-Butte** [Project IM 15-2(86)128]

Three bids were tendered. There were no errors or omissions in the low bid which was 14.51 percent under our engineers' estimate.

Staff recommends the contract be awarded to Becker Landscaping & Design Inc. in the amount of \$169,458.84.

**Project 7: 2001 – Turn Bay – E of Townsend** [STPHS 14-1(19)2]

One bid was tendered. There were no errors or omissions in the low bid which was 23.2 percent over our engineers' estimate. Staff recommends the commission *not* award the contract to Helena Sand & Gravel Inc. in the amount of \$590,087.63 but rather tie the work to the *Townsend – E* project slated for listing in the December letting.

**Project 8: 2001-Electrical-Jct Sec-227** [Project STPHS 60-2(68)87]

Two bids were tendered. There were no errors or omissions in the low bid which was 16.28 percent over our engineers' estimate.

Staff recommends the contract be awarded to Montana Lines Inc. in the amount of \$44,978.50.

Commissioner Griffith moved to accept staff recommendations to award project 1, 2, 3, 4, 5, 6, and 8; Commissioner Espy seconded the motion. All four commissioners voted aye.

Commissioner Howlett moved to not award project 7; Commissioner Griffith seconded the motion. All four commissioners voted aye.

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**Commission discussion**

The commission's next meeting will be held Thursday, May 25 in Helena, starting at 8:30 am. Lynch said he would distribute the hearing report from Hearings Officer Jim Scheier to the commission prior to the meeting. At the meeting, Lynch will explain the rules change and make a recommendation.

Howlett said he would be in Browning on May 25 but would like to be part of the discussion. Kennedy asked if a vote would be taken at the meeting. Reardon said the

commission has until early August to take action. If there is no action, the proposal expires. He further noted that Scheier put a note denoting attorney-client privilege on the memo to the Transportation Commission. Reardon recommended removing that to allow for staff and public distribution.

Commissioner Griffith moved to waive the claim of privilege; Commissioner Howlett seconded the motion. All four commissioners voted aye.

Howlett reiterated his desire to participate in the discussion on this item, and proposed allowing additional time for the decision. Kennedy said we would be on the road for the next two meetings, which are within the six-month time frame. Lynch said Helena would be a good neutral ground for holding the discussion. The commission would not be conducting a public hearing on the matter; that's already been done. However, public comment would be okay.

Reardon said it's important to be clear that the Transportation Commission's intent will be to take formal action on the rules, to adopt, reject or modify them. He suggested a time limit on the discussion. Lynch said we don't want to rehash the hearing and recommended the commission limit public testimony to new information that hasn't already been provided in the hearing transcript or in the hearing report. He said we would schedule the discussion around Howlett's 11 am to 1 pm commitment.

Griffith asked if we would have the hearing comments in our hands. Lynch said yes.

The call concluded at 10:29 am

Bill Kennedy, Chairman  
Montana Transportation Commission

Jim Lynch, Director  
Montana Department of Transportation

Lorelle Demont, Secretary  
Montana Transportation Commission